

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CHARLES ELLIS, SR.,

Plaintiff,

v.

KERN COUNTY SHERIFF DEPARTMENT,
et al.,

Defendants.

Case No. 1:22-cv-01209-JLT-SAB (PC)

ORDER VACATING MAY 24, 2023
HEARING DATE

(ECF No. 21)

Plaintiff Charles Ellis, Sr., is proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On April 13, 2023, Defendant Kern County filed a motion to dismiss and set the motion for hearing on May 24, 2023, before District Judge Jennifer L. Thurston. (ECF No. 21.)

As an initial matter, Defendant is advised that this matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. In addition, this action is proceeding pursuant to Local Rule 230(l) which provides that all motions in actions where one part is incarcerated and proceeding without counsel shall be submitted upon the record without oral argument unless otherwise ordered by the court. Local Rule 230(l). Accordingly, the May 24, 2023, hearing date is HEREBY VACATED, and the motion will be deemed submitted on the papers without oral argument after briefing pursuant to Local Rule

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230(l). However, if the Court deems a hearing necessary on the motion, it will be scheduled in
due course. Local Rule 230(l).

IT IS SO ORDERED.

Dated: **April 14, 2023**


UNITED STATES MAGISTRATE JUDGE